

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference NT05007PCT--	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2005/018799	International filing date (<i>day/month/year</i>) 12 October 2005 (12.10.2005)	Priority date (<i>day/month/year</i>) 12 October 2004 (12.10.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant NIPPON TELEGRAPH AND TELEPHONE CORPORATION		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																
2.	<p>This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date of issuance of this report 17 April 2007 (17.04.2007)</td> </tr> <tr> <td style="padding: 2px;"> Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Masashi Honda</div> </td> </tr> </table> e-mail: pt08.pct@wipo.int	Date of issuance of this report 17 April 2007 (17.04.2007)	Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Masashi Honda</div>
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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

NT05007PCT--

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/018799

International filing date (day/month/year)

12.10.2005

Priority date (day/month/year)

12.10.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

NIPPON TELEGRAPH AND TELEPHONE CORPORATION

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Date of completion of this opinion

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/018799

Box No. 1

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed
 - ☐ filed together with the international application in electronic form
 - ☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/018799

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:

- ☐ paid additional fees
☐ paid additional fees under protest and, where applicable, the protest fee
☐ paid additional fees under protest but the applicable protest fee was not paid
☒ not paid additional fees

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with
☒ not complied with for the following reasons:

These claims are divided into fourteen inventions;

Invention 1 is the inventions of claims 1, 2, 9, 13,
Invention 2 is the inventions of claims 3, 4, 10, 14, 19,
Invention 3 is the inventions of claims 5, 11,
Invention 4 is the inventions of claims 6, 12,
Invention 5 is the inventions of claims 7, 16, 17,
Invention 6 is the inventions of claims 8, 20,
Invention 7 is the invention of claim 15,
Invention 8 is the invention of claim 18,
Invention 9 is the invention of claim 21,
Invention 10 is the inventions of claims 22-34,
Invention 11 is the invention of claim 35,
Invention 12 is the invention of claim 36,
Invention 13 is the invention of claim 37, and
Invention 14 is the inventions of claim 38-50.

The feature common to inventions 1-14 is a constitution "for pointing a desired point in a 3D space".

However, the search has revealed that this technical feature is not novel since it is disclosed in document [JP 2004-70920 A (Sony Computer Entertainment Inc.), 04 March 2004, 0022-0031, Figs. 5-7].

In addition, the feature common to inventions 1 and 8 is a constitution "for changing a coordinate in the depth direction of a 3D pointer to be displayed in the 3D space according to a pen pressure".

However, the above matter is not novel since it is disclosed in the document.

Accordingly, there is no special technical feature common to the first to the fourteenth group of inventions. Consequently, these inventions do not satisfy the requirement of unity of invention.

4. Consequently, this opinion has been established in respect of the following parts of the international application:

- ☐ all parts
☒ the parts relating to claims Nos. 1, 2, 9, 13

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/018799

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>2, 13</u>	YES
		Claims <u>1, 9</u>	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1, 2, 9, 13</u>	NO
	Industrial applicability (IA)	Claims <u>1, 2, 9, 13</u>	YES
		Claims _____	NO
2.	Citations and explanations:		
	<p>Document 1: JP 2004-70920 A (Sony Computer Entertainment Inc.), 04 March 2004, Par. Nos. 0022 to 0031; Figs. 5 to 7 & US 2004/21663 A1 & EP 1513050 A1 & WO 03/104967 A1</p> <p>Document 2: JP 2003-85590 A (Nippon Telegraph And Telephone Corp.), 20 March 2003, Par. Nos. 0025 to 0072, 0116 to 0117. Figs. 3, 4 (Family: none)</p> <p>The inventions of claims 1 and 9 are disclosed in document 1 cited in the ISR. Therefore, the inventions of claims 1 and 9 do not appear to possess novelty or involve an inventive step.</p> <p>The inventions of claims 2 and 13 do not appear to involve an inventive step based on documents 1 and 2 cited in the ISR.</p> <p>The inventions described in documents 1 and 2 have the same feature for "pointing a position in the 3D space".</p> <p>In the invention described in document 1, applying means for "displaying a virtual instrument at a position in a screen in the extended direction from the tip of an input tool based on the position and gradient of the input tool against the screen" could be easily conceived of by a person skilled in the art.</p>		